

Post-it® Fax Note	7671	Date	4/25/06	# of pages	8
To	Stephanie Ch...	From	Gene Shteynberg		
Co./Dept.		Co.	DEP		
Phone #		Phone #	424-3283		
Fax #	617-918-1291	Fax #	1		

Environmental
Resources
Management

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DEP-WASTE MANAGEMENT BUREAU
WASTE ENGINEERING & ENFORCEMENT

Two Hartford Square West
Suite 300
146 Wyllys Street
Hartford, CT 06106
(860) 524-5678
(860) 524-5680 (fax)

November 10, 2005

Mr. Gene Shteynberg
Bureau of Waste Management
Connecticut Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127



ERM

RE: *Response to Notice of Violation No. NOVWSSR0522*
Former CEE Associates Facility, 80 Pickett District Road, New Milford,
Connecticut (the "Property")
ERM Project No. 0016718

RCRA RECORDS CENTER
FACILITY CEE ASSOCIATES
ID. NO. CT00471251
FILE LOC. R-1C
OTHER #103881

Dear Mr. Shteynberg:

On behalf of CEE Associates, LLP (CEE), ERM-New England, Inc. (ERM) has prepared this response to the above-referenced Notice of Violation (NOV) received on or about October 18, 2005 by Joshua A. Creem at Corillian Corporation.

Please note that CEE sold the Property in January 2000 to Edelman Limited Partnership. At that time, an Environmental Condition Assessment Form (ECAAF) and Form III were filed with the Connecticut Department of Environmental Protection (CT DEP). On the Form III submitted with the ECAAF, CEE, as the Certifying Party, agreed to undertake the investigation and remediation of the Property in accordance with the Connecticut Transfer Act (CTA) and Remediation Standard Regulations (RSRs). On March 1, 2000, the Department acknowledged its receipt of the ECAAF and Form III, and notified CEE that an LEP was authorized to oversee the investigation and remediation of the Property (copy attached). On March 20, 2000, ERM submitted a schedule for investigation and remediation of the Property to the CT DEP (copy attached).

During CEE's ownership of the Property, the facility operator located on the Property was an affiliated entity, IntelliData Technologies Corporation (IntelliData). On or about August 19, 2005, five (5) years after CEE sold the Property to Edelman Limited Partnership, Corillian Corporation acquired IntelliData, including its on-going remedial obligations pursuant to the CTA and the RSRs. Therefore, this transaction did not trigger the Transfer Act or any

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requirements thereunder.

In light of the Corillian acquisition of IntelliData, please direct all future communications regarding the Property to Joshua A. Creem, Associate General Counsel, Corillian Corporation, 3400 NW John Olsen Place, Hillsboro, OR 97124, (tel.) 503-629-3786, (fax) 503-629-3803, jcreem@corillian.com, with copy to Andrew N. Davis, Esq., LeBoeuf, Lamb, Greene & MacRae LLP, 225 Asylum Street, Goodwin Square 13th Floor, Hartford, CT 06103, (tel.) 860-293-3514, (fax) 860-293-1314, adavis@llgm.com.

RESPONSE TO ENUMERATED NOTICE OF VIOLATION ITEMS

The items identified in the NOV are addressed below as enumerated in the NOV.

Item 1. Failure to Notify EPA of Hazardous Waste Activity

CEE owned the Property from the early 1990's, when it obtained the Property from Burndy Corporation until January 2000, when it sold the Property to Edelman Limited Partnership. The EPA ID Number originally obtained by Burndy Corporation, CTD044121697, has been used by CEE, IntelliData, and now Edelman Limited Partnership, as the current owner. ERM previously confirmed with Inga Rubecka of the CT DEP that, under CT DEP policy, EPA Hazardous Waste ID Numbers are associated with the Property and not the operation. Therefore, the EPA ID Number is the same as was originally obtained, and there was no requirement to acquire a new ID number, and therefore, nothing to notify EPA about.

Item 2. Failure to Submit Revised Part A as New Owner

As noted in the response to Item 1, above, CEE is not the new/current owner of this Property. CEE sold the Property to Edelman Limited Partnership in January 2000 and is therefore not subject to the submittal requirement in 40 CFR Section 270.72 (a) (4).

Item 3. Failure to Submit a Post-Closure Part B Permit Application

In December 1998, a Post Closure Part B Permit Application was prepared by ERM on behalf of IntelliData and submitted to the CT DEP and EPA. The Post

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Closure Part B Permit Application indicated that no further work was necessary, as the Property had achieved "Clean Closure".

The CT DEP should have a copy of the Post Closure Part B Permit Application in its files. However, in the event that it cannot be located, we have attached a copy of the original for your files.

Item 4. Failure to Submit an ECAF

As noted above, an ECAF for the Property was submitted in January 2000 in the context of the sale of the Property from CEE to Edelman Limited Partnership. Since then, extensive investigation and remediation has been on-going pursuant to the CTA and the RSRs. Furthermore, as required under the CTA, IntelliData has been submitting annual reports to the CT DEP since March 2001 that provide information about both historical and forward looking activities.

The impetus for this NOV appears to be the result of confusion over CT DEP's attempt to obtain information in January 2003 regarding ECAFs from former land Disposal facilities. The CT DEP's January 2003 correspondence as addressed was sent to Thomas McCue (a Burndy employee from 20 years ago) at CEE Assoc., Pickett District Road. Review of the CT DEP file found that the correspondence had been returned to the Department marked (by the Post Office) as "Undeliverable."

Neither CEE, nor any successor entity, ever received the CT DEP request for information with respect to the ECAF submitted by CEE for the Property in January 2000. For your convenience, and in compliance with the January 2003 request, we have enclosed a copy of the original ECAF for your files.

Additional Items

Investigation of the Property is complete, and remediation was initiated several years ago pursuant to the CTA and RSR obligations. Furthermore, annual reports have been submitted to the CT DEP and EPA since March 2001. The upcoming 2005 annual report will summarize this past year's activities and describe those anticipated in 2006. Per your request, please find attached a revised, up-dated schedule for this Property.

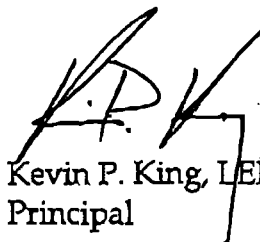
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If you have any questions or need additional information, please feel free to call me at (860) 524-5678.

Regards,



Robert J. Drake, P.E., Ph.D., LEP.
Senior Project Manager



Kevin P. King, LEP
Principal

Attachments

cc: Joshua A. Creem, Esq.
Andrew N. Davis, Esq.

SCHEDULE FOR INVESTIGATION AND REMEDIATION

Former IntelliData Technologies Facility
80 Pickett District Road
New Milford, Connecticut

DEP Notification of LEP Lead and Verification: March 1, 2000

TASK #	DESCRIPTION	PROPOSED COMPLETION DATE	ACTUAL COMPLETION DATE
1	Submit Schedule for Investigation and Remediation to CT DEP	March 31, 2000	March 29, 2000
2	Develop Scope of Work for Remainder of Site Investigation (Phase III)	April 7, 2000	September 2000
3	Perform Site Investigation	March 1, 2002	September 2004
4	Report to CT DEP on Site Investigation	March 1, 2002	September 2004 (Annual Report)
5	Prepare Remedial Action Plan (RAP)	December 1, 2002	September 2001
6	Provide Public Notice of Proposed Remediation	December 1, 2002	October 2001
7	Receive Public Comment (30 days)	January 1, 2003	November 2001
8	Address Public Comments	March 1, 2003	None Received
9	Submit RAP (as revised) to CT DEP	March 1, 2003	2002 (Annual Report)
10	Commence Remediation in Accordance with Revised RAP	March 1, 2003	December 2001
11	Submit Annual Reports to CT DEP	March, Yearly	Annually
12	Prepare Quality Assurance Project Plan	NA	January 1, 2006
13	Evaluate Need for Ecological Risk Assessment	NA	January 1, 2006
14	Prepare Phase IV Report	Within 90 days of completion of site remediation and confirmation groundwater monitoring	Within 90 days of completion of site remediation and confirmation groundwater monitoring
15	Provide Public Notice of Completion of Remediation	NA	TBD (Immediately upon completion of Phase IV Report)
16	Receive Public Comments (30 days)	NA	30 days after completion of Phase IV Report
17	Address Public Comments	NA	TBD
13	Submit Verification of Site Remediation by LEP	Within 15 days after completion of Phase IV Report	Within 15 days after addressing public comments

COMPLIANCE STATEMENT

This Compliance Statement shall be signed by: (1) You (if an individual - the individual signs); (2) If a corporation or partnership by a responsible corporate officer/general partner or a duly authorized representative of such person, as those terms are defined in Section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies; or (3) If a municipality city elected official or principal executive officer; and (4) If different, by the individual responsible for actually preparing such statement, each of whom shall read and sign the certification regarding false statements on the Compliance Statement.

Within fifteen days of the date you become aware of a change in any information in the Compliance Statement, or that any information was inaccurate or misleading or that any relevant information was omitted, submit the correct or omitted information to the staff contact identified on the Notice of Violation.

Notice of Violation No.: NOVWSSR0522

Facility/Violator Name: IntelData Technologies Corporation

Site Address: 11600 Sunrise Valley Drive, Suite 100, Reston, VA 20191

In accordance with the directions in the above-referenced Notice of Violation, I certify that the ~~above~~ alleged violations have been corrected in the following manner:

See attached

Attach additional sheet(s) as needed

(Enclose supporting documentation demonstrating compliance)

Certification of Accuracy

I certify that the information in this Compliance Statement and any attachments thereto are true, accurate and complete, and I understand that any false statement may be punishable as a criminal offense under Connecticut General Statutes Section 22a-5 and 33a-157.

*to the best of my knowledge and belief

11/09/05
Date

503-629-3786
Telephone

Signature

Joshua Creem Associate General Counsel
(Type name and Title)

3400 NW John Olson Pl. Hillsboro, OR 97124
Address

11/10/05
Date

Preparer's Signature, if different than the above

(660) 524-5678
Telephone

R. J. Drake
(Type name and Title)

ERM Two H-HW Syn Writ, Suite 30
Address
H-HW 07 06106

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WASTE ENGINEERING & ENFORCEMENT